



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.10458 of 2016

Rajamani

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Block Development Officer,
Valliyoor Panchayat Union,
Valliyoor,
Radhapuram Taluk,
Tirunelveli District.

3.The President,
Chidhambarapuram Jacobpuram Panchayat,
Palavoor Village,
Radhapuram Taluk,
Tirunelveli District.

... Respondents

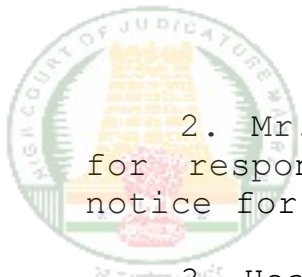
PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to approve the petitioner's house plan for the construction of the new house in the petitioner's land in Survey No.86/2B at Jacobpuram, Palavur Village, Chidhambarapuram Jacobpuram Panchayat, Radhapuram Taluk, Tirunelveli District, by considering the petitioner's representation dated 22.04.2016.

For Petitioner : Mr.S.R.Anbarasu

For Respondents : Mr.M.Rajarajan,
Govt. Advocate for R.1 & R.2
Mr.S.Vinayak for R.3

ORDER

This writ petition has been filed seeking a Writ of Mandamus to direct the third respondent to approve the petitioner's house plan for construction of a new house in the petitioner's land in Survey No.86/2B at Jacobpuram, Palavur Village, Chidhambarapuram Jacobpuram Panchayat, Radhapuram Taluk, Tirunelveli District, by considering the petitioner's representation, dated 22.04.2016.



2. Mr.M.Rajarajan, learned Government Advocate, takes notice for respondents-1 and 2. Mr.S.Vinayak, learned Counsel, takes notice for the third respondent.

3. Heard both sides.

4. By consent, the main writ petition itself is taken up for final disposal.

5. Mr.Rajamani, the petitioner herein, claiming to be the owner of the land having an extent of 1324.60 sq. ft. in S.No.86/2B at Palavoor Village, Chidhambarapuram Jacobpuram Panchayat, under the registered settlement deed dated 27.04.2007, executed by his mother in his favour, has decided to construct a house therein, for which, he submitted a Plan before the third respondent along with the representation, dated 22.04.2016, but the same has not been considered so far. Hence, the petitioner has come before this Court with the present writ petition for directing the third respondent to approve the Plan for constructing a new house in the above said land.

6. When the matter is taken up for hearing, the learned Counsel for the third respondent submitted that the prayer sought for by the petitioner has become infructuous since the third respondent has already passed an order dated 02.05.2016, on the representation of the petitioner, but, the said order sent by Registered Post to the petitioner was returned as 'Refused'.

7. The said order passed by the third respondent and sent through Registered Post in a postal cover has been handed over today to the petitioner in the Court and the same has also been received by the petitioner.

8. In view of the above, this writ petition is dismissed. It is open to the petitioner to work out his remedy, if any, in the manner known to law. No costs.

Sd/-

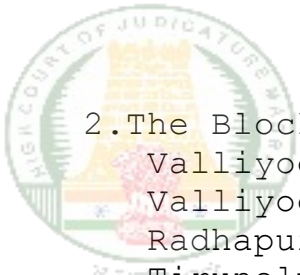
Assistant Registrar(CS I)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Tirunelveli District,
Tirunelveli.



2.The Block Development Officer,
Valliyoor Panchayat Union,
Valliyoor,
Radhapuram Taluk,
Tirunelveli District.

WEB COPY

+1cc to Mr.S.Vinayak, Advocate SR.No.32141
+1cc to Mr.S.R.Anbarasu, Advocate SR.No.31756

sm:ARK-PV:28.06.2016:3P/5C

W.P (MD) No.10458 of 2016
20.06.2016